

REMARKS / ARGUMENTS

In complete response to the Office Action dated March 10, 2005, on the above identified application, reconsideration is respectfully requested. Claims 18 – 46 are pending in this application.

With this amendment, claims 18, 28, 29, 34 – 39, 42, and 46 are amended. Claims 19, 40, 41, and 43 – 45 are cancelled. Claims 47 – 51 have been added to further define the invention. The Specification and the Abstract have also been amended.

Specification Objection:

The Examiner has objected to the Specification of the present application for containing a reference to an embedded hyperlink, and for failing to contain the appropriate section headers. The Specification has been amended to remove the hyperlink and to include the appropriate section headers.

As all of the Examiner's objections to the Specification have been addressed, the Applicants respectfully assert that this basis for objection deserves reconsideration.

Claim Rejections Under 35 U.S.C. § 112:

Claims 39 & 42 stand rejected under 35 U.S.C. § 112 for failing to particularly point out and distinctly claim the subject matter regarded as the invention. Due to the aforementioned claims amendments, the Applicants respectfully contend that this basis for rejection deserves reconsideration.

Claim Rejections Under 35 U.S.C. § 102:

Claims 18 – 34 stand rejected under 35 U.S.C. 102(b) as being anticipated by Quaas et al (USPN 3,392,017). The Applicants respectfully contend that these claims, as currently amended, are not anticipated by Quaas '017.

Quaas '017 describes an alloy containing copper, tin, phosphorous, and other elements. This alloy is intended to be used in place of alloys, which due to the presence of zinc in their composition, produce noxious fumes when melted. Quaas '017 does not disclose a method for welding a metal workpiece onto a brazed zone made of a copper / phosphorous alloy, nor does Quaas '017 discuss aiding in the creation of such a weld by protecting the brazed zone through the introduction of at least one intermediate layer of a copper / tin alloy. Absent such references, a person of ordinary skill in the art would not

find all the elements of claim 18 have either been taught or disclosed by Quaas '017. For this reason, the Applicants respectfully contend that this basis for rejection deserves reconsideration. Further, since claims 20 – 38 are dependent upon claim 18, the Applicants also respectfully contend that these claims deserve reconsideration.

Claims 39 & 42 – 45 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by Davidian et al (USPN 6,347,662). The Applicants respectfully contend that due to the aforementioned claim cancellations and amendments, this basis for rejection deserves reconsideration.

Claim Rejections Under 35 U.S.C. § 103:

Claims 35 – 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Quaas '017 in view of Davidian '662. As discussed above, Quaas '017 deals with an alloy as opposed to a method for welding a metal workpiece onto a brazed zone in such a way as to protect the brazed zone. While Davidian '662 discloses a plate and fin type heat exchanger, the combination of the Quaas '017 alloy with the Davidian '662 exchanger would neither teach nor suggest to one of ordinary skill in the art a method for creating a heat exchanger where at least one intermediate layer of a copper / tin alloy is introduced to protect a weld created on a copper / phosphorous brazed zone. For this reason, the Applicants respectfully contend that this basis for rejection deserves reconsideration.

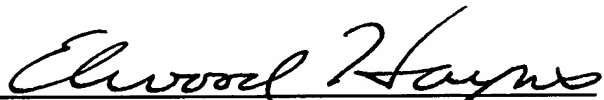
Claim 40 currently stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Davidian '662 in view of Quaas '017. The Applicants respectfully contend that due to the aforementioned claim cancellations, this rejection under 35 U.S.C. § 103(a) is now moot.

Appl. No. 10/628,153
Amdt. dated June 10, 2005
Reply to Office Action of March 10, 2005

CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the Examiner believe a telephone call would expedite the prosecution of the application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

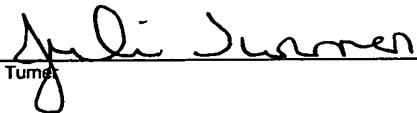

Elwood L. Haynes, Reg. No. 55,254

Date: **June 10, 2005**

Air Liquide
2700 Post Oak Blvd., Suite 1800
Houston, Texas 77056
Phone: (713) 624-8956
Fax: (713) 624-8950

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10th day of June, 2005.


Julie Turner